



TETRA TECH DPK

ProJustice

PROJUSTICE

USAID/PROMOTING AND STRENGTHENING JUSTICE IN THE DEMOCRATIC REPUBLIC OF CONGO PROJECT

**Indefinite Quantity Contract No. 263-I-00-06-00019-00
Task Order No. 263-I-01-06-00019-00**



**Thirteenth Quarterly Progress Report
October - December 2011**

**6, Avenue de la Mission
Kinshasa, DRC**

TABLE OF CONTENTS

ACRONYMS	ii
EXECUTIVE SUMMARY	1
1. QUARTER 13 - ACTIVITIES AND RESULTS	2
1.1 COMPONENT 1 – SUPPORT THE ESTABLISHMENT OF NEW JUDICIAL INSTITUTIONS	2
1.2 COMPONENT 2 –EFFECTIVE AND TRANSPARENT MANAGEMENT OF THE JUDICIARY AND MINISTRY OF JUSTICE	4
1.3 COMPONENT 3 – MORE EFFECTIVE, TRANSPARENT AND ACCESSIBLE COURT OPERATION IN PILOT JURISDICTIONS	9
1.4 COMPONENT 4 – INCREASED ACCESS TO JUSTICE FOR VULNERABLE POPULATIONS	19
2. WINDOWS OF OPPORTUNITY: RENOVATION WORKS AT THE KINDU PALACE OF JUSTICE	22
3. STAFFING/MANAGEMENT UPDATES	23
4. QUARTER 13 - PROBLEMS AND REMEDIAL ACTIONS	24
5. ATTACHMENTS	25
1. Report on a Meeting with UNDP	
2. Report on the ProJustice 2nd Cycle Grant Program (Narrative)	
3. Report on the ProJustice 2nd Cycle Grant Program (Synthesis)	
4. Summary of Planned Activities for the Upcoming Quarter	
5. Performance Monitoring Plan	
6. Annual Inventory Report	

ACRONYMS

CSM	<i>Conseil Supérieur de la Magistrature</i> (High Judicial Council)
CSO	Civil Society Organization
DRC	Democratic Republic of the Congo
EFRPJ	<i>École de Formation et de Recyclage du Personnel Judiciaire</i> (Institute of Judicial Training and Retraining)
MOJHR	Ministry of Justice and Human Rights
NGO	Non-Governmental Organization
PGI	<i>Parquet de Grande Instance</i> (Prosecutor's Office of the Court of First Instance)
USAID	United States Agency for International Development
VISO	<i>Vision Sociale</i> (Social Vision)

EXECUTIVE SUMMARY

COMPONENT 1

- Held workshop in Kinshasa on the involvement of women in the magistracy.
- Supported women magistrates in their lobbying efforts with the First President of the CSJ and the President of the CSM to raise the number of women in the CSM and in leadership positions in the magistracy.
- Supported a National Disciplinary Chamber hearing in December 2011.

COMPONENT 2

- Planned quarterly activities with the EFRPJ staff, the courts of the Supreme Court of Justice, and the General Prosecutor of the Republic.
- Trained and supervised EFRPJ staff.
- Completed the assessment and monitoring of earlier project missions for the judicial authorities.
- Prepared training modules for upcoming ProJustice activities.
- Held working meetings with other partners.
- Supported the eastern universities.
- Trained staff at the MOJHR and EFRPJ.
- Monitor implementation of the budget for the judiciary.
- Together with the Ministry of Finance, enhanced the capacity of magistrates and administrative personnel to monitor the budget for the judiciary and developed the related strategic and operational planning training module.

COMPONENT 3

- Implemented the case management system in the court offices.
- Equipped the courts and pilot offices with the necessary office supplies.
- Supported meetings of the implementation committees and of the NGO network committees at all four pilot sites.
- Maintained weekly inspections of detention center inspections for the High Courts.
- ProJustice supported bailiffs by providing a transportation allowance.
- Held weekly mobile court sessions in central prisons for the High Courts.
- Launched an information kiosk in Lubumbashi and organized one for Kindu.
- Provided financial support for the renovation of Kindu's courthouse.
- Sent identification panels for installation in pilot site courthouses.

COMPONENT 4

- Continued to provide technical assistance for Bukavu Catholic University to establish a legal clinic.
- Met with the First President of the Kindu Court of Appeals to finalize preparations for a one-day courthouse open house.
- Helped secure USAID funding for five NGO projects in Maniema and South Kivu provinces during the third cycle of its grant program.

WINDOWS OF OPPORTUNITY

Completed approximately \$30,000 in renovations to improve court operations at the Justice Palace in Kindu, Maniema during the reporting period. The official presentation of the renovation works to the provincial authorities is scheduled to take place on January 25, 2012.

1. QUARTER 13 - ACTIVITIES AND RESULTS

1.1 COMPONENT 1 - SUPPORT THE ESTABLISHMENT OF NEW JUDICIAL INSTITUTIONS

1.1.1 Component 1A - Establish Transparent Procedures for the Recruitment, Selection, Discipline, and Promotion of Magistrates

Transparent, Merit-based Criteria for the Recruitment, Selection, Discipline, and Promotion of Magistrates Adopted and Implemented by the CSM

The Democratic Republic of Congo (DRC) is party to international treaties and conventions on women's equality and has passed constitutional and statutory measures to further that goal. Nonetheless, female magistrates are inadequately represented in the High Judicial Council (CSM) and in the country's magistracy. Among the 133 members of the CSM, only three are women, a 2% representation. Although the CSM is the management organ for the judiciary under Article 152 of the Constitution, there are no women on its nine-member Permanent Secretariat.

There are only two women members on the Supreme Court of Justice, a 7% representation. Of the 215 courts, tribunals, and offices in the DRC, 211 are run by men. There are no women on the Military High Courts or in the General Auditorat¹ of the DRC Armed Forces. Finally, there are no women in leadership positions in the Courts of Appeals, general public prosecutor's office, military courts or High Auditorat in the DRC.

Among the objectives this Component is the establishment of mechanisms for the transparent and merit-based recruitment and promotion of magistrates in CSM; however, there have been no women candidates to date. In response, Component 1 is working to establish gender equality at CSM and in the magistracy.

Workshop on Women's Participation in the Magistracy

ProJustice held a workshop on the involvement of women in the magistracy on November 16-18, 2011. Associations that promote women's leadership also participated. Among the topics covered were:

- Recruitment and promotion of magistrates;
- Demand for women's leadership;
- Career paths for women leaders;
- National gender policy and the plan to combat gender-based sexual violence;
- Obstacles against the emergence of women magistrates.

Following discussions, recommendations were provided to women's leadership associations, human rights NGOs, the High Council of the Magistracy, MOJHR, and the Ministry of Gender, Family and Children, as well as to project partners and sponsors.

The workshop had a direct and swift impact: the First President of the Supreme Court of Justice and the President of CSM requested a list of the female magistrates in the country and noted those who wished to hold a leadership position. This is a step in the right direction for the judicial authority. The

¹ Auditorat General in the military judiciary is equivalent to the General Prosecutor's Office in the civilian judiciary organization.

project is working quickly to make this list available to the Cabinet of the First President of the Supreme Court of Justice and to the President of the CSM.

Technical Assistance to CSM Disciplinary Boards

Last quarter, ProJustice distributed the book “Practical Guide on the Disciplinary Procedure of Magistrates” to magistrates in Katanga and Kinshasa. This reporting quarter, ProJustice also provided a copy of this book to the rest of the magistrates in the Democratic Republic of Congo.

ProJustice also supported the National Disciplinary Chamber, which took on two cases during the quarter:

- ***CSM vs. Deputy Prosecutor in the Republic of Bandundu.*** The disciplinary chamber of Bandundu heard this case on July 8, 2011 and sentenced the accused magistrate to three months’ suspension without pay. The CSM then lodged an appeal with the National Disciplinary Chamber to review the penalty with regard to the seriousness of the offense. The Chamber deliberated the appeal on December 29, 2011 and was expected to issue a decision in early January, 2012.
- ***CSM vs. First President of the Military Court in Kinshasa/Gombe.*** This case will be heard in January 2012. The project provided considerable technical and financial support for preparations, in particular by monitoring procedural compliance and by making funds available.

New Career System for Magistrates Based on Transparent, Merit-based Criteria for Promotion

The selection, recruitment, promotion and discipline of magistrates in the Democratic Republic of Congo is governed by Organic Law Number 06/20 of October 10, 2006. To comply with this law, the CSM must have access to reliable and comprehensive information from the *curricula vitae* of the country’s magistrates. However, no such database exists, and what little information has been gathered is either outdated or inaccessible. Therefore Component 1 prioritized the development of a database during the reporting quarter.

Data Collection on Magistrates’ Careers

Data collection on the careers of DRC magistrates continues despite difficulties related to the instability judicial positions. Under Component 1, the project has collected and encoded civil magistrate identification cards and will next turn to those of military magistrates.

1.1.2 Component 1B - Establish Transparent Organizational Procedures for New Judicial Institutions

New Internal Procedures and Organizational Structure of Judicial Council Adopted and Implemented

The DRC’s current Judicial Code dates back to 1986 and must be updated. To promote the proper administration of justice, Component 1 is developing a revised Judicial Code that will contain new laws, bills, rulings, and judgments, including those pertaining to new judicial institutions. Greatly anticipated among the judiciary, the revised Judicial Code will close the many legal gaps that have developed over the past 26 years and provide magistrates a single, comprehensive legal text on all judicial matters. It is expected to improve both the quality of the magistrates’ work and, as a consequence, the quality of justice in the DRC.

DRC Judicial Code Compendium

During the reporting quarter, the project was unable to make progress on the Judicial Code Compendium because the President of the Republic has delayed the enactment of several laws that are meant to be included. One law concerning the organization and operation of the Constitutional Court has been awaiting passage since May 2011. Laws related to proceedings before the Final Court of Appeals and to the organization, operation, and competence of the judicial courts, have been pending since September and October 2011, respectively.

Work With Partners

The project enjoyed a satisfactory partnership with the United Nations Development Program during this quarter, which had been developed over the preceding months to expand project activities to other sites (see Attachment 1 for a report on a meeting organized by ProJustice). Under the supervision of ProJustice, career workshops were held on such sites and support was provided to disciplinary chambers in response to the needs identified by the judicial authorities.

New Internal Operating Procedures and Organizational Structures for the Constitutional Court Adopted and Implemented

This Component 1 activity is on hold pending the enactment of legislation on the organization and operation of the Constitutional Court.

1.2 COMPONENT 2: EFFECTIVE AND TRANSPARENT MANAGEMENT OF THE JUDICIARY AND MINISTRY OF JUSTICE**1.2.1 Component 2A - Strengthen the Management Skills of Justice Institution Personnel and Training Institutions*****Enhanced Management Skills of MOJHR Staff*****Assessment and Monitoring**

The assessment and monitoring of previous training programs that began in June 2011, was closed in Kindu on October 28, 2011. Under this activity, the project assisted the national administrative and judicial authorities in evaluating the impact of employee training.

The assessment and monitoring mission comprised: Mr. Alexis Amisi Ometete, First Secretary for the Prosecutor General's Office (MOJHR) and Mr. François Aundja Isia Wa Bosolo, Principal Clerk for the Gombe Court of Appeals, representing the absent Chief Clerk (MOJHR). Mr. Olivier Dzidi Mondole, Administrative Assistant to the ProJustice Judicial Training Component, assisted the mission.

From October 24-28, 2011, the delegation supervised non-magistrate judicial personnel from the Kindu Court of Appeals, the Prosecutor General's office, the High Court, and the Prosecutor's office in the High Court, as well as permanent staff members (clerks and secretaries) from the Prosecutor's Office in the Peace Court in Punia and in the Secondary Prosecutor's office in Kasongo.

The principal clerk reviewed the registered clerks and provided instructions on filing and recordkeeping. The First Secretary of the General Prosecutor's office checked the registries at each of the secretariats. All identified errors were corrected and discussed with the employees.

Following these visits, the authorities gathered 44 employees for a general review and gave them new instructions on carrying out their duties.

The project provided training for eight clerks, of whom one was a woman, and four secretaries to general prosecutors, including one woman. Ten clerks and 22 secretaries, including two women, have not yet been trained.

Revised Training Modules

ProJustice reviewed and revised the training modules for the clerks and secretaries in the prosecutor's office for project activities in the coming quarters based on the observations and evaluations taken from the monitoring missions and training sessions undertaken during the reporting quarter. Sixteen copies of the revised modules were printed for use in the next EFRPJ training activity.

Partnership with EFRPJ

Meetings with EFRPJ

During the this quarter, the project held several working meetings with the heads of EFRPJ.

Teacher training. On November 22, 2011, Component 2 staff held a working meeting with EFRPJ to discuss new strategies for future training activities. The school was given a list of 31 clerks and secretaries from the prosecutor's office that had received teacher training at project pilot sites and been deemed fit to provide ongoing training to their colleagues. The objective is to position these local teachers to work alongside local authorities.

Following the meeting, the Director of EFRPJ designated and split the 31 individuals into groups as follows:

- Of the 17 clerks, of whom four are women: seven were assigned to the Bandundu pilot site (including one woman), five to the Katanga site (including two women), and five to the South-Kivu & Maniema sites (including one woman).
- Of the 14 secretaries from the prosecutor's office, of whom four are women: four went to the Bandundu site (including one woman), five to the Katanga site (including two women), and five to the South Kivu and Maniema sites (including one woman).

The teachers in Katanga have already trained 30 employees. The other teachers will begin their work during the next round of EFRPJ activities.

Technical Training. On December 2, 2011, the project met with EFRPJ to organize technical training for entry-level staff at the Institute. The Director of EFRPJ and two close collaborators also participated in this meeting, which was led by the head of Component 2.

It was agreed that training for the entry-level staff at the school should begin with an introduction to computers because office personnel did not adequately understand the technical terms necessary for computer use. Eighteen staff members, including five women, were divided into three groups of six employees each to receive this training. Project staff for Components 2 and 3 and a teaching consultant provided training to each group in December 2011, and will continue in January and February 2012. All training sessions (30 hours in total) take place in Kinshasa.

Preparation of Computer Training Modules for EFRPJ Staff

ProJustice organized a practical computer training course for EFRPJ staff, which includes a module on basic computer-related concepts and word processing. The module was prepared with

the assistance of Component 2 and 3 staff, who offered their extensive computer knowledge. At the end of the training period, the module will be distributed to the participants free of charge.

Staff Training for EFRPJ

During the reporting quarter, ProJustice trained the MOJHR management and administrative staff assigned to EFRPJ:

- In October 2011, the Director of EFRPJ and the staff responsible for budget services and training began to implement the training they received from July to September.
- From October 18-20, ProJustice organized three workshops for EFRPJ to organize and plan activities for this quarter. The goal was both to convey project knowledge and to have participants actively participate in preparing and executing the training program. ProJustice used the opportunity to evaluate the impact of the supervisory staff it had worked with since last July.

During these workshops, the EFRPJ employees were placed in real-life situations based on their actual responsibilities. In attendance were: Mr. Fidele Henri Kalombo Ngongo, Director of the Training School and of Retraining Judicial Personnel; Mr. Augustin Maholo Matundu, Director of the Training Department; and Mr. Baudouin Nalwango Kimbumbi, Director of the Budget and Finance Office.

The employee in charge of training was responsible for:

- Selecting the teachers from among the persons trained by ProJustice, and the topics for training;
- Informing authorities of the training workshop planning in Bandundu;
- Sending invitations to participants.

The employee in charge of budget and finance was responsible for:

- Preparing the budget for future training activities in Bandundu;
- Making contacts in Bandundu to get practical information and to understand the logistical realities of the area;
- Developing the budget for one activity.

The Director followed the work closely to help ensure sustainable results.

Over the course of the workshop, the participants benefited from supervision by the director of the training component, his assistant, teachers (Head Clerk for the Gombe Court of Appeals (François Aundja Isia Wa Bosolo), and the Principal Secretary to the Prosecutor General of the Republic (Liuta Bokau).

In a meeting held December 2, 2011, it was agreed that training for the first group of EFRPJ employees should take place from December 12-16, 2011. Instead the sessions began on December 19 due to political tensions in the country.

The first group of six employees (three men and three women) completed the weeklong, 30-hour session, which covered skills such as using the keyboard, writing text, and printing documents. The participants were very attentive, occasionally arriving early to review their lessons and staying after the class to work on exercises. Two staff members and a project consultant handed out the lessons and practical exercises.

A pre-module evaluation was conducted, and a daily evaluation allowed the participants to check the relevance of the skills that they had learned the day before.

These meetings represented a first step in the transfer of knowledge to EFRPJ staff for continuity of project results. ProJustice will continue to use this collaborative method throughout the final phase of the project. The objective is for the employees to be able to successfully carry out all training activities independently by the closing date of the project.

1.2.2 Component 2B - Enhance the Skills and Qualifications of Court Personnel

Standardized Initial and Continuing Training Programs for Court Personnel

Training of Magistrates

As part of the continuing education of the magistrates, ProJustice prepared operational fact sheets on the workshops for judges in the Peace Tribunals. These sheets outline a comprehensive educational plan covering training content, duration, schedule, teachers, and coordination.

Nearly 500 young magistrates in the prosecutor's office were trained in 2011 and will be assigned to Peace Tribunals. This government effort aims to address the shortcoming of the judicial system in some parts of the country. The objective is to help the CSM properly prepare the deputy prosecutors who will be called upon to lead in the future.

Work with Documentation and Study Service (SDE) at MOJHR

Internet service is critical to the functioning of the SDE. In addition to leveling the communications gap, it allows the students to keep their knowledge up to date.

ProJustice completed its dealings with internet service providers to install a connection for SDE and paid for the first three months of service. In the interest of project continuity, ProJustice asked the heads of SDE to confirm in writing that they will take over the internet subscription when the initial three-month period ends. At the time of writing this report ProJustice had not yet received this letter, which has delayed completion of the activity.

Assistance to Law Schools

As part of his work teaching Criminal Law at the eastern universities for the 2010-2011 academic year, the head of Component 2 graded second semester exams for graduate law students at Catholic University of Bukavu (UCB). Of the 41 students who took the exam, 27 passed. The results were sent to the UCB academic authorities for the December 5, 2011.

1.2.3 Component 2C - Improved Budget and Resource Management by the CSM and MOJHR

Judicial Budgets Adopted Through Transparent Procedures that Increasingly Reflect Real Operational Costs of Justice System Operations

No activity to report for this reporting period.

Improved and More Transparent Financial and Resource Management Procedures Adopted and Implemented by the CSM and MOJHR

Many judicial institutions in DRC operate in a sub-optimal manner due to budget shortfalls. There are two root causes of this problem:

- Judicial authorities have not made a strong case to policymakers during the budget development cycle in the Council of Ministers and Parliament. As a result, critical sections of the proposed budgets are often cut or even rejected.
- There is a lack of clear communication between the principal organizer for payments and the judiciary. In many cases, legitimately liquidated funds fail to reach the intended recipient in the judiciary, creating serious difficulties for prosecutors and for the proper functioning of the courts and tribunals.

During the reporting quarter, several activities were completed under this component.

- **October 5-7, 2011.** Monitored budget implementation in the pilot site at Kindu, collected data on budget implementation in the pilot site and delivered a computer kit (computer and printer) to strengthen the technical capacity of the personnel in charge of budget management and to modernize relevant processes.
- **October 18-21, 2011.** Supported the High Council of the Judiciary in lobbying the Budget Minister to adopt budgetary estimates for the Judiciary.
- **October 21, 2011.** Consulted with the High Council of the Magistracy on establishing a joint committee to support lobbying efforts on behalf of CSM and other authorities on budget matters, and on drafting the related legislation;
- **November 1-7, 2011.** Consulted with the High Council of the Judiciary to select focal points for the joint committee on budget management and lobbying efforts:
 - Coordinator of the Finance Unit, Ministry of Finance for electronic payment orders for the judiciary;
 - Deputy Manager of Funds, MOJHR, as head of budget management;
 - Financial expert for United States Agency for International Development (USAID) Good Governance Program – DAI in Kinshasa;
 - Delegates from four unions of Congolese magistrates;
 - Head of Finance for the CSM;
 - Finance and budget expert from ProJustice/USAID.
- **November 8-30, 2011.** Organized two major monitoring activities:
 - Monitored the traceability of Judiciary budget estimates for the 2012 fiscal year. The budget estimates were adopted in their entirety by the CSM general assembly on May 26, 2011. The deadline for submission to the Budget Minister was June 15, but the head of finance of CSM, Attorney Lumande, stated that the Minister of Justice presented the estimates to the Council of Ministers on July 13. As a result, the Budget Minister allocated the same funds to the Judiciary in 2012 as was provided in 2011.
 - Monitored the budget implementation of the Judiciary. The project requested that the Coordinator of the Finance Unit in the Ministry of Finance authorize electronic payment order #249923 with the Central Bank of Congo to pay magistrate salaries for September, October, and November 2011. At the time of report writing, this payment was still pending because such authorization had not yet been given.

- **December 1-27, 2011.** Three activities were successfully completed:
 - Developed training modules on strategic and operational planning in the courts, tribunals and pilot prosecutor's offices (the start of this training was postponed until January 2012 due to prevailing circumstances in the country).
 - Continued the dialogue with the following potential focal points for the working group on budgetary monitoring:
 - Coordinator of the Finance Unit, Minister of Finance, and the Attorney Lumande of the High Council of the Judiciary (December 9);
 - Two representatives from the Independent Union of Magistrates (December 14).
 - Monitored salary payments to the magistrates, of which November and December were delayed, and budget implementation for the Judiciary with the Financial Unit in the Ministry of Finance (December 9).

1.3 COMPONENT 3 - MORE EFFECTIVE, TRANSPARENT, AND ACCESSIBLE COURT OPERATIONS IN PILOT JURISDICTIONS

1.3.1 Component 3A - Enhanced Effectiveness and Transparency of Court Management Practices

More Streamlined and Transparent Court Management Procedures and Regulations Established and Implemented in Pilot Courts

New File Classification System

Implementation of the new file classification system was assessed each month in the pilot sites (Bandundu, Bukavu, Kindu and Lubumbashi) to ensure the clerks are effectively using the new techniques introduced by ProJustice. The improved system will facilitate file searches in the jurisdictions. In cooperation with Coordinators of the Jurisdictions and Pilot Offices, ProJustice performed the assessments on a sample of 137 files.

Head clerks were also given access to the file management table, which is operational in all four ProJustice sites. The table traces the path of every judicial document back to the responsible clerk in the jurisdiction of origin. To create a sustainable file management system, the Coordinators of the Jurisdictions and Pilot Offices were put in contact with the persons responsible for its maintenance.

During the month of October, ProJustice supported the archival of 6,608 judicial files in the offices of the Bukavu pilot jurisdiction. In November, 50 judicial files from the criminal offices of the Bandundu High Court were placed in new folders more appropriately designed for their contents.

Pilot Site Program Action Plan Committees

The project supported three action plan committee meetings, which brought together heads of all jurisdictions and offices, the secretaries from the Prosecutor's office, the president of the NGO

network for the justice sector, and ProJustice staff. A total of 45 participants, including two women, were present.

Table 1.1 Action Plan Committee Meetings and Participants				
Site	Date (2011)	Beneficiaries	Men	Women
Bandundu	October 14	Judicial personnel (magistrates, clerks, secretaries from the Prosecutor's office) Representative for the NGO network/Justice	17	0
Bukavu	November 17	Judicial personnel (magistrates, clerks, secretaries from the Prosecutor's office) Representative for the NGO network/Justice	11	2
Lubumbashi	November 18	Judicial personnel (magistrates, clerks, secretaries from the Prosecutor's office) Representative for the NGO network/Justice	15	0

ProJustice also supported meetings for the NGOs that work in the justice sector. During the reporting quarter, three such meetings were organized in Bandundu, Bukavu and in Lubumbashi, at which 37 participants, including 13 women, were present.

Table 1.2 NGO Meetings and Participants				
Site	Date (2011)	Beneficiaries	Men	Women
Bandundu	October 17	NGO members	13	5
Bukavu	November 15	NGO members	4	5
Lubumbashi	November 16	NGO members	7	3

On October 26, 2011, Component 3 staff held a meeting with the Coordinator of the Joint Committee on Justice, which is responsible for coordinating the efforts of the Minister of Justice and those of the contributing sponsors in the justice sector. The meeting's objectives were to improve the visibility of completed project activities and to facilitate coordination with other sponsors.

On November 2-3, ProJustice staff from Components 2 and 3 met in Kinshasa to have a dialogue on Component 3 activities for the 2012 fiscal year, with a particular focus on the guidelines; facilitate communication between the new head of Component 3 and the staff; and identify common objectives to be accomplished by the end of the fiscal year. Ten ProJustice staff members, including one woman, attended this meeting.

On November 11, when the new Coordinator of Jurisdictions and Pilot Offices for ProJustice was taking up her position, a consultation took place between Component 3 project staff Fabien Buetusiwa and Carine Mvemba, and three members of the Coordination Bureau of a group of 15 NGOs affiliated in a single network.

Basic Supplies to Pilot Courts

During this quarter, ProJustice spent \$1,800 to provide all jurisdictions and pilot offices with basic office supplies such as paper, pens, folders, and other items useful for daily operations.

It should be noted that this quarterly allocation will end in February 2012 because the budget allocated MOJHR will not go to the jurisdictions. ProJustice is working with the heads of the pilot jurisdictions and offices to find alternative means of providing these supplies.

Internet Access

The internet connection is up and running in Bukavu and Lubumbashi Courthouses and is satisfactory to its users (magistrates, clerks, secretaries, and bailiffs).

Reduction in Average Time from Case Filing to Disposition for Minor Cases without a Corresponding Time Increase for Major Cases

Inspection of Detention Centers

During this quarter, ProJustice supported 178 inspections in detention centers for four High Courts in its four pilot sites as follows:

- Bandundu - 80 inspections in 8 detention centers;
- Bukavu - 57 inspections in 8 detention centers;
- Kindu - 33 inspections in 8 detention centers;
- Lubumbashi - 18 inspections in 7 detention centers.

During these inspections, 16 cases of sexual violence were recorded: two in Bandundu, two in Bukavu, six in Kindu, and six in Lubumbashi.

October Inspections. The following tables present the numbers and types of cases processed during detention center inspections in October 2011.

Table 2.1 Demographics and Findings of Detention Center Inspections					
Category		Site			
		Bandundu	Bukavu	Lubumbashi	Kindu
Cases reviewed	Men	28	67	89	-
	Women	1	11	8	-
	Girls	0	1	0	-
	Boys	0	13	4	-
	Elderly	0	0	0	-
Cases transferred to Prosecutor's Office	Men	7	11	45	-
	Women	0	2	2	-

	Girls	0	0	0	-
	Boys	0	11	3	-
	Elderly	0	0	0	-
Number of cases with detention confirmed	Men	18	39	28	-
	Women	0	3	0	-
	Girls	0	0	0	-
	Boys	0	1	0	-
	Elderly	0	0	0	-
Number of cases with detainee released unconditionally	Men	0	19	33	-
	Women	0	4	5	-
	Girls	0	1	0	-
	Boys	0	1	2	-
	Elderly	0	0	0	-
Number of cases of sexual violence	Men	2	2	2	-
	Women	0	0	0	-
	Girls	0	0	0	-
	Boys	0	0	0	-
	Elderly	0	0	0	-
Number of cases with detainee held under provisional warrant	Men	3	0	0	-
	Women	1	0	0	-
	Girls	0	0	0	-
	Boys	0	0	0	-
	Elderly	0	0	0	-

Table 2.2 Detention Centers - Number and Type of Cases in October 2011					
Charges	Site				
	Bandundu	Bukavu	Kindu	Lubumbashi	Total
Abortion	0	1	-	0	1
Associating With Criminals	2	2	-	0	4
Breach Of Trust, Fraud	4	13	-	16	33
Civil Offense (Transferred To Civil Court)	1	0	-	0	1
Concealment And Handling of Stolen Goods	0	1	-	6	7
Destruction Of Property	2	1	-	3	6

Extortion With Theft	2	41	-	32	75
Grievous Assault	0	13	-	7	20
Homicide	0	0	-	1	1
Illegal Detention	1	0	-	0	1
Illegal Occupation Of Land	1	0	-	0	1
Involuntary Manslaughter	0	0	-	6	6
Minor Assault	6	0	-	0	6
Public Indecency	0	0	-	3	3
Rape	2	2	-	2	6
Robbery	1	26	-	12	39
Slander	5	1	-	7	13
Unlawful Confinement/ Kidnapping	1	0	-	3	4
Vagrancy	0	0	-	2	2
Verbal Threat	1	5	-	1	7
TOTAL	29	106	-	101	236

November Inspections. The following tables present the numbers and types of cases processed during detention center inspections in November 2011.

Table 3.1 Demographics and Findings of Detention Center Inspections					
Category		Number of Cases			
		Bandundu	Bukavu	Lubumbashi	Kindu
Number of cases reviewed	Men	19	68	46	67
	Women	2	9	3	11
	Girls	0	0	0	1
	Boys	0	7	2	13
	Elderly	1	0	0	0
Number of cases transferred to Prosecutor's Office	Men	1	29	12	11
	Women	0	1	1	2
	Girls	0	0	0	0
	Boys	0	1	2	11
	Elderly	0	0	0	0
Number of cases with detention confirmed	Men	13	33	28	39
	Women	9	3	0	3
	Girls	0	0	0	0
	Boys	0	1	0	1
	Elderly	0	0	0	0
Number of cases with detainee released unconditionally	Men	0	10	4	19
	Women	2	4	2	4
	Girls	0	0	0	1
	Boys	0	2	0	1
	Elderly	0	0	0	0
Number of cases of sexual violence	Men	0	0	0	2
	Women	0	0	0	0
	Girls	0	0	0	0
	Boys	0	0	0	0
	Elderly	0	0	0	0
Number of cases with detainee held under provisional warrant	Men	1	0	0	0
	Women	7	0	0	0
	Girls	0	0	0	0
	Boys	0	0	0	0
	Elderly	0	0	0	0

Table 3.2 Number and Types of Cases					
Charges	Bandundu	Bukavu	Kindu	Lubumbashi	Total
Abortion	0	0	1	0	1
Associating with Criminals	0	0	2	0	2
Attempted Robbery	2	0	0	1	3
Attempted Theft	2	0	0	0	2
Breach of Trust, Fraud	3	23	13	8	47
Civil Offense (transferred to Civil Court)	3	0	0	3	6
Concealment and Handling of Stolen Goods	0	5	1	2	8
Contempt of Public Authority	1	0	0	0	1
Destruction of Property	0	3	1	1	5
Driving Under the Influence	0	1	0	0	1
Eating without Paying	0	0	0	1	1
Embezzlement, Misappropriation of Funds, Bribery	1	0	0	0	1
Extortion with Theft	0	18	41	15	74
Forgery	0	0	0	3	3
Grievous Assault	3	0	0	5	8
Involuntary Manslaughter	0	0	0	1	1
Minor Assault	0	9	13	4	26
Possession of Drugs	0	0	0	1	1
Public Indecency	0	0	0	1	1
Rape	0	0	2	0	2
Robbery	4	20	26	0	50
Slander	0	4	1	4	9
Threat of Treason	5	0	0	0	5
Verbal Threat	0	3	5	1	9
TOTAL	24	86	106	51	267

December Inspections. The following tables present the numbers and types of cases processed during detention center inspections in December 2011.

Table 4.1 Demographics and Dispositions after Detention Center Inspections					
Category		Bandundu	Bukavu	Lubumbashi	Kindu
Number of cases reviewed	Men	-	76	29	57
	Women	-	6	6	0
	Girls	-	0	0	0
	Boys	-	6	3	4
	Elderly	-	0	0	0
Number of cases transferred to Prosecutor's Office	Men	-	28	11	30
	Women	-	1	0	0
	Girls	-	0	0	0
	Boys	-	2	0	3
	Elderly	-	0	0	0
Number of cases with detention confirmed	Men	-	34	12	20
	Women	-	4	3	0
	Girls	-	0	0	0
	Boys	-	1	0	0
	Elderly	-	0	0	0
Number of cases with detainee released unconditionally	Men	-	15	7	6
	Women	-	1	2	0
	Girls	-	0	0	0
	Boys	-	2	1	1
	Elderly	-	0	0	0
Number of cases of sexual violence	Men	-	0	4	1
	Women	-	0	0	0
	Girls	-	0	0	0
	Boys	-	0	0	2
	Elderly	-	0	0	0
Number of cases with detainee held under provisional warrant	Men	-	0	0	0
	Women	-	0	0	0
	Girls	-	0	0	0
	Boys	-	0	0	0
	Elderly	-	0	0	0

Table 4.2 Number and Types of Cases

Charges	Bandundu	Bukavu	Kindu	Lubumbashi	Total
Associating With Criminals	-	2	-	-	2
Breach Of Trust, Fraud, And Chiseling	-	15	8	10	33
Concealment And Handling Stolen Goods	-	4	2	1	7
Death Threat	-	-	4	-	4
Destruction Of Property	-	2	2	4	8
Driving Under The Influence	-	1	-	-	1
Excessive Speeding, Hit And Run	-	2	-	-	2
Extorsion With Theft	-	24	21	7	52
Grievous Assault	-	-	1	-	1
Illegal Occupation Of Land	-	3	1	-	4
Minor Assault	-	15	10	5	30
Public Drunkenness / Drinking Under Age	-	3	-	-	3
Public Indecency	-	-	-	1	1
Rape	-	-	4	4	8
Rebellion	-	-	-	1	1
Robbery	-	15	3	1	19
Slander	-	3	2	3	7
Unlawful Confinement / Kidnapping	-	2	-	1	3
Illegal possession of weapons	-	1	-	-	1
Verbal Threat	-	2	-	-	2
Refusal to pay taxes	-	1	-	-	1
Refusal to give priority	-	1	-	-	1
Vagrancy	-	1	-	-	1
War crime	-	-	1	-	1
Crime against humanity	-	-	1	-	1
Child neglect	-	-	1	-	1
Civil offense	-	-	2	-	2
TOTAL		97	63	38	198

Supporting Process Servers

The table below shows the number of cases supported in the pilot jurisdictions (Appeals Court, High Courts, Peace Courts) for a total cost \$1,084.

Table 5.1 Cases Supported in Each Pilot Jurisdiction	
Site	Number of Cases
Bandundu	36
Bukavu	129
Kindu	37
Lubumbashi	0
Total	202

1.3.2 Component 3B - Enhanced Accessibility of Pilot Courts

Reduction in Average Cost to Citizens of Minor Cases in Pilot Jurisdictions

Information Kiosks

Installed in October, 2011, the Lubumbashi Courthouse information kiosk opened on November 21, 2011 and was supported by volunteers from local human rights NGOs. During the month of December, 139 people benefitted from the facilitated access to the Courthouse: 110 men, 28 women and one child.

The Kindu information kiosk will be launched in February 2012. It is currently being installed as part of Courthouse renovations.

Identification Panels

In November 2011, ProJustice received 300 identification panels to be put on offices and items in the pilot courthouses. The panels were sent to the sites in December 2011 for installation in January 2012.

Rehabilitation of the Justice Palace of Kindu

The partial rehabilitation work on the Kindu Courthouse was 90% complete at the end of December 2011. It is anticipated that the judicial authorities will be able to return to the building in January 2012 (see Chapter 2 of the report below - Windows of Opportunity).

Increased Number of Cases Involving Vulnerable Populations Resolved Through the Justice System in Targeted Jurisdictions, Including Outside the Provincial Capitals

Mobile Court Sessions

During this this quarter (October to December 2011), 41 mobile court sessions were held: seven in Bandundu, 23 in Bukavu and 11 in Kindu.

A total of 358 were heard, as broken down in the table below:

Table 5.2 Cases Heard						
Site	Court of Appeals		Court of First Instance		Peace Court	
	Cases Processed	Cases Closed	Cases Processed	Cases Closed	Cases Processed	Cases Closed
Bandundu	0	0	44	8	0	0
Bukavu	0	0	190	7	0	0
Kindu	0	0	124	9	0	0
TOTAL	0	0	358	24	0	0

Of these cases, 97 dealt with sexual violence (3 in Bandundu, 82 in Bukavu, and 12 in Kindu) and 120 dealt with children in conflict with the law (108 in Bukavu, 12 in Kindu).

1.4 COMPONENT 4: INCREASED ACCESS TO JUSTICE FOR VULNERABLE POPULATIONS

1.4.1 COMPONENT 4A - CIVIL SOCIETY CAPACITY BUILDING ASSISTANCE FOR INCREASED ACCESS TO JUSTICE

Civil Society Capacity for Legal Aid and Awareness-Raising Strengthened

Distribution of Access to Justice Guide

In November 2011, ProJustice organized an official ceremony for the publication of the *Guide to Access to Justice in the Democratic Republic of Congo*. The Guide aims to help vulnerable population access justice by improving the capacity of civil society organizations (CSOs) and judicial personnel to effectively provide services to them. Lack of awareness of the relevant laws and institutional functions considerably limits access to justice for many in the DRC.

To help raise awareness, ProJustice supported civil society projects for the establishment of legal clinics to advise people of their rights as citizens and to help them defend those rights in the legal system. Two copies of the Guide were sent to the NGO Social Vision (VISO) in Bukavu during the grant management training session on December 30, 2011, to facilitate their legal assistance work with those populations.

Technical Assistance to CSOs

The civil society organizations that advocate for human rights and judicial reform play an important role in providing legal advice and assistance to vulnerable populations. ProJustice provides CSOs and NGOs in the DRC with small grants and technical assistance to improve their capacity to meet the tremendous challenges they often face in carrying out their work on the ground.

To that end, ProJustice is providing technical support to the Law Faculty at the Catholic University of Bukavu in its efforts to establish a law clinic. The clinic will give the faculty an important role in promoting and protecting the rights of vulnerable people by organizing

mediation activities and legal support for those populations and by raising public awareness of the relevant laws. The Law Faculty submitted a project and budget proposal to ProJustice for financial support on October 26. The project grants team reviewed the proposals and sent them back with requested changes on November 23, 2011. At the end of the reporting period, ProJustice was awaiting the revised version.

The progress toward establishing the legal clinic has been slow. The Law Faculty has experienced technical difficulties in preparing and developing a project with so many demands. The grants team encouraged the Faculty to pursue its endeavor and has made itself available for help developing the project and budget. This technical support has been greatly appreciated.

Open-House Days in Pilot Courts

A large part of the Congolese population lacks basic knowledge on the legal system in the DRC, including its organization and functions, the role of judicial personnel, or the legal services available to them. As a result, many people avoid or don't think of going to court, even for disputes that require a legal resolution. ProJustice supports the organization of open house days at the pilot courts to familiarize the population with the structures and services at their disposal.

A preliminary meeting for this activity took place in Kinshasa on December 22, 2011. It was attended by the First President of the Court of Appeals and the General Prosecutor, who expressed their appreciation to the project for supporting these and other activities in their jurisdictions and offices. Involvement of the judicial authorities in budget preparation and planning the open houses has been instrumental in overcoming budgetary constraints and other obstacles to the successful completion of these activities.

1.4.2 Component 4B - Sub-Grants to CSOs

Increased Number of Cases of Vulnerable Populations Resolved Through the Justice System

Grants Awarded During the Second and Third Grants Cycles

ProJustice awards small grants to pilot site CSOs for the development and implementation of projects on awareness-raising, civic education, advocacy strategies, and related topics. The grants program provides an opportunity for these organizations to strengthen their capacity while implementing key project activities. ProJustice requires all CSOs to sign a grant agreement prior to receiving funding to help them achieve project goals, activities and requirements. Following USAID approval of the grants, the CSOs will implement their activities under the supervision of ProJustice staff conducting regular monitoring visits.

During this reporting period, ProJustice prepared two detailed reports on the implementation of the second cycle of the grant program (see Attachments 2 and 3) and continued the selection process of new grant proposals for the third cycle. Five such projects were approved by USAID on December 19, 2011 during ProJustice's third grant cycle: OCET in South Kivu, VISO in Bukavu, the Monsignor Emmanuel Kataliko Foundation in Uvira, and Haki za Binadamu and the Collective of Associations of Muslim Women for the Development of Maniema in Maniema.

Monitoring and Evaluation of Sub-grants Program

A rigorous set of monitoring and evaluation standards are an essential part of ProJustice's strategy when working with sub-grantees. Monitoring is done at the field level by sub-office staff and by Kinshasa-based personnel to prevent the occurrence of errors, fraud, or other problems

and, if they do, to ensure they are handled swiftly. Sub-grantees are subject to both scheduled and unscheduled monitoring visits by the ProJustice grants team, providing ProJustice the opportunity to review the progress of activities of each grantee, verify project documents, discuss potential issues directly with project staff, and strengthen their capacity where needed.

From October 27-30, Component Four Leader Justin Ntakobajira conducted monitoring and evaluation of project closeout activities undertaken by the Lubumbashi Bar Association and the Women's Dynamic for the Development of Congo.

Grantee Legal Assistance to Vulnerable Populations

No legal assistance activities to vulnerable populations were provided by grantees during the reporting period as all second-cycle grants provided by ProJustice officially ended on August 31, 2011.

The project extended the reporting periods without cost for certain organizations to ensure they complete all activities and submit their final narrative and financial grantee reports for project closure.

Greater Public Awareness of Legal Rights and the Role of the Justice System

No public awareness activities were conducted by grantees during the reporting period because all second- cycle grants provided by ProJustice officially ended on August 31, 2011.

2. WINDOWS OF OPPORTUNITY

2.1 RENOVATION WORKS AT THE KINDU JUSTICE PALACE

During the reporting period, ProJustice funded renovations to the Justice Palace in Kindu using Windows of Opportunity funds with the approval of USAID. The renovations include:

- Replacing the windows of the courthouse;
- Replacing the doors of the courthouse;
- Painting the exterior and interior of the courthouse;
- Renovating the floor of the veranda and installing fencing around the perimeter;
- Installing an information kiosk outside the courthouse.

The renovations cost approximately \$30,000.

3. STAFFING/MANAGEMENT UPDATES

3.1 PROJECT OFFICES UPDATE

Position	Comments
Kinshasa Office Staff	
Grants Finance Assistant	Selected candidate first accepted then declined the position. Selection process restarted.
Regional Office Staff	
Pilot Court Coordinator, Kindu	Selected candidate started on November 14.
Administration and Finance Assistant, Bandundu	Selected candidate to start on January 10.
Pilot Court Coordinator, Bandundu	Selected candidate declined position. Selection process restarted.
Grants Finance Assistant	Selection process held on November 21-25. Offer made on November 29.

4. QUARTER 13 - PROBLEMS AND REMEDIAL ACTIONS

Problem encountered	Corrective action proposed/taken
Throughout the reporting quarter, political tensions in the country seriously affected activities under Components 2 and 3. From time to time meetings with partners were postponed and work suspended until the tensions were down.	We have put the security of our group first by doing only the activities that do not involve any major risks in the field.
The Kindu missions were regularly interrupted by the difficulty in accessing the province of Maniema. The activities were more expensive, involved one uncertain flight per week and our bags left in another town. In October the bags of some members of the group were left in Goma by CAA, which is the only airline that serves that destination. This caused enormous disruption to the work of these members, as documents, clothes, phone chargers and a computer were stuck in Goma from October 24-27, 2011.	The group members were forced to complete their one-week mission in the same clothes. Despite these events, the mission in Kindu was successful.
In certain provinces the unavailability of judicial authorities during the past quarter was an obstacle in preparing certain activities such as the preparation of open house days in Bukavu and Kindu.	A strong presence of the ProJustice teams in the provinces and the involvement of judicial authorities in budget and program preparation for the open house days allowed us to get around these difficulties.

5. OTHER ATTACHMENTS

Attachment 1 – Report on a Meeting with UNDP

**Attachment 2 - Report on the ProJustice 2nd Cycle Grant Program
(Narrative)**

**Attachment 3 - Report on the ProJustice 2nd Cycle Grant Program
(Synthesis)**

**Attachment 4 - Summary of Planned Activities for the Upcoming
Quarter**

Attachment 5 - Performance Monitoring Plan

Attachment 6 - Annual Inventory Report